

1 Because the instant case was opened erroneously, the Clerk shall close the file and
2 terminate all pending motions (docket nos. 1, 2). No filing fee is due because the case
3 was mistakenly opened as a new habeas action. The Court will review the merits of
4 Petitioner's motions in a separate written order in case number C 05-1264 JF (PR).

5 IT IS SO ORDERED.

6 DATED: 3/20/08


JEREMY FOGEL
United States District Judge